

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DEBORAH LYNNE RICKRODE, : **CIVIL ACTION NO. 1:16-CV-976**
: **Plaintiff** : **(Chief Judge Conner)**
: **v.** :
NANCY A. BERRYHILL, Acting :
Commissioner of Social Security,¹ :
: **Defendant** :

ORDER

AND NOW, this 22nd day of September, 2017, upon consideration of the report (Doc. 10) of Magistrate Judge Karoline Mehalchick, recommending the court deny the appeal (Doc. 1) of Deborah Lynne Rickrode (“Rickrode”) from the decision of the administrative law judge denying Rickrode’s application for a period of disability and disability insurance benefits, and the court noting that Rickrode filed objections (Doc. 11) to the report, and the Commissioner of Social Security (“Commissioner”) filed a response (Doc. 12) thereto, and following a *de novo* review of the contested portion of the report, see Behar v. Pa. Dep’t of Transp., 791 F. Supp. 2d 383, 389 (M.D. Pa. 2011) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n.3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(C)), and applying a clear error standard of review to the uncontested portions, see Cruz v. Chater, 990 F. Supp. 375, 376-78 (M.D. Pa. 1999),

¹ Carolyn W. Colvin (“Colvin”) was Acting Commissioner of Social Security when the instant action was filed against her in her official capacity. On January 23, 2017, Nancy A. Berryhill succeeded Colvin as Acting Commissioner. Pursuant to Federal Rule of Civil Procedure 25(d), Nancy A. Berryhill is substituted as the defendant in this action. See FED. R. CIV. P. 25(d).

the court being in agreement with Judge Mehalchick that the decision of the administrative law judge is “supported by substantial evidence,” 42 U.S.C. § 405(g); Fargnoli v. Massanari, 247 F.3d 34, 38 (3d Cir. 2001), and finding Judge Mehalchick’s analysis to be thorough, well-reasoned, and fully supported by the record, and further finding Rickrode’s objections to be without merit and squarely addressed by the report, it is hereby ORDERED that:

1. The report (Doc. 10) of Magistrate Judge Mehalchick is ADOPTED.
2. The decision of the Commissioner of Social Security (“Commissioner”) denying the application for a period of disability and disability insurance benefits of Deborah Lynne Rickrode (“Rickrode”) is AFFIRMED.
3. The Clerk of Court shall enter judgment in favor of the Commissioner and against Rickrode as set forth in paragraph 2.
4. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania